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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/029,240	12/28/2001	Seong Jin Jo	LT-0009	5026
34610	7590	06/21/2006	EXAMINER	
FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153			BAYAT, BRADLEY B	
			ART UNIT	PAPER NUMBER
			3621	

DATE MAILED: 06/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/029,240	<b>Applicant(s)</b> JO, SEONG JIN	
	<b>Examiner</b> Bradley B. Bayat	<b>Art Unit</b> 3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**- DETAILED ACTION**

***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 3, 2006 has been entered.

***Status of Claims***

This communication is in response to amendment filed on March 3, 2006

- Claims 7 and 22 have been amended.
- Declaration of foreign translation and priority.
- Claims 1-29 remain pending.

***Response to Arguments***

Applicant's arguments with respect to above noted claim have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Ginter et al. (hereinafter Ginter), US 2004/0133793 A1.**

As per the following claims, Ginter discloses:

1. A method of managing use of an appliance, comprising: receiving information on a use of the appliance through a communication network; calculating a charge for the use of the appliance based on the received use information; and transmitting the calculated charge to a user's terminal through the communication network (§1835, 1866-1868, 0222).
2. The method of claim 1, wherein said appliance is a washing machine (§1835).
3. The method of claim 2, wherein said received use information for calculating a charge includes at least one of a type of washing machine, a load capacity of the washing machine, a motor type of the washing machine, an amount of clothes to be washed, a selected washing course program, a selected washing time, a selected number of washing repetitions, a selected number of agitation or spin cycles, and a number of rinsing repetitions (§0222-229, i.e., usage metering).
4. The method of claim 1, wherein the appliance is activated by a start signal from a registered subscriber's personal computer or a mobile terminal (§1988-1990).
5. The method of claim 1, further comprising: entering a subscriber number and a unique number of an appliance through a communication network; authenticating said subscriber number and

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said unique number of an appliance; and activating said appliance if said subscriber number and said unique number of an appliance are authentic (§2107-2109).

6. The method of claim 1, wherein the user's terminal is a personal computer or a mobile terminal (§0011).

7. The method of claim 1, further comprising sending a bill for use of the appliance after each use of the appliance to a corresponding subscriber (§0016, VDE reliably bills user; see also 0111-0140).

8. A method of managing the use of an appliance through a communication network, comprising:

- authenticating a subscriber number received through the communication network (1840-1842, authentication of VDE appliance);
- transmitting a start signal for an appliance identified by the subscriber number from a server through the communication network to a corresponding subscriber's terminal if the subscriber number is authenticated successfully (1983-1990; command signals);
- receiving use information of the appliance through the communication network (2001, appliance usage/metering);
- calculating a charge for the use of the appliance based on the received use information (0633, 0699, 1042, 1093); and

- transmitting the calculated charge to the subscriber's terminal through the communication network (1129, fig 21 and associated text).

Claims 9-14 are rejected as above.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ginter et al., US 2004/0133793 A1 in view of Kurodo et al., (hereinafter Kurodo), US 5,757,643.**

As per claims 15, Ginter discloses method of managing use of an appliance, i.e., a washing machine through a communication network, comprising: receiving information on washing machine usage through the communication network; calculating a charge for use of the washing machine based on the received information; transmitting the calculated charge to a user's terminal through the communication network (see rejection above). Although Ginter the elements noted above, it does not explicitly disclose a sensor mechanism that is specific to conditions based on clothes inserted in a washing machine.

Kurodo teaches a remote management system where data detected by a sensor for detecting a condition of a machine is transmitted (see abstract, column 3, line 45-column 4, line 58). It would have been obvious to one of ordinary skill in the art at the time of the invention to

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utilize the specific parameters for household appliances in order to efficiently and accurately manage remote appliances and charge accordingly.

Claims 16-18 are further rejected under Ginter as provided in detail under 102(e) rejection above.

Claims 19-29 directed to substantially similar subject matter are rejected as above.

*Although the Examiner has pointed out particular references contained in the prior art(s) of record in the body of this action, the specified citations are merely representative of the teachings in the art as applied to the specific limitations within the individual claim. Since other passages and figures may apply to the claimed invention as well, it is respectfully requested that the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.*

### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- US 6,862,496 B2 to Fukuoka et al.
- US Patent 6,167,358 to Othmer et al.
- USPAP 2002/0073183 A1 to Yoon et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley B. Bayat whose telephone number is 571-272-6704. The examiner can normally be reached on Tuesday - Friday 8 a.m.-6:30 p.m. and by email: [bradley.bayat@uspto.gov](mailto:bradley.bayat@uspto.gov).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached regarding urgent matters at 571-272-6712.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Or faxed to:

**(571) 273-8300** - Official communications; including After Final responses.

**(571) 273-6704** - Informal/Draft communications to the examiner.



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